

THOMPSON HINE LLP
335 Madison Avenue, 12th Floor
New York, NY 10017
O: 212.908.3969
F: 212.344.6101
Email: Richard.DePalma@thompsonhine.com

*Counsel for Bay Point Capital Partners, L.P.
and Bay Point Capital Partners II, L.P.*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
In re: : Chapter 7
: Case No. 21-12146-lgb
Fitness Recovery Holdings, LLC, :
: Debtor. :
:-----X

NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF ALL NOTICES

PLEASE TAKE NOTICE THAT, Richard A. De Palma of the law firm Thompson Hine LLP hereby enters his appearance for and on behalf of Bay Point Capital Partners, L.P. and Bay Point Capital Partners II, L.P. (collectively, “Bay Point”), in the above-captioned case and requests that copies of all notices, pleadings and other papers filed in the case be served upon:

Richard A. De Palma, Esq.
THOMPSON HINE LLP
335 Madison Avenue, 12th Floor
New York, NY 10017
O: 212.908.3969
F: 212.344.6101
Email: Richard.DePalma@thompsonhine.com

The foregoing request includes notices of any orders, pleadings, motions, applications, complaints, demands, hearings, requests, or petitions, answering or reply papers, memoranda, briefs, and any other document brought before this Court with respect to these proceedings,

whether formal or informal, written or oral, and whether transmitted or conveyed by mail, delivery, facsimile, telephone, telegraph, telex or otherwise.

PLEASE TAKE FURTHER NOTICE THAT, this Notice of Appearance and Request for Service of Papers shall not be deemed to be a waiver of Bay Point's right (i) to have final orders in non-core matters entered only after *de novo* review by a district judge; (ii) to trial by jury in any proceeding so triable herein or in any case, controversy or proceeding related hereto; (iii) to have the reference withdrawn by the District Court in any matter subject to mandatory or discretionary withdrawal; or (iv) to any other rights, claims, actions, defenses, setoffs, or recoupments to which Bay Point is or may be entitled under agreements in law or in equity, all of which rights, claims, actions, defenses, setoffs and recoupments Bay Point expressly reserves.

Dated: January 5, 2022

Respectfully submitted,

/s/ Richard A. De Palma
Richard A. De Palma (2469914)
THOMPSON HINE LLP
335 Madison Avenue, 12th Floor
New York, NY 10017-4611
O: 212.908.3969
F: 212.344.6101
Richard.DePalma@thompsonhine.com

*Attorney for Bay Point Capital Partners, L.P.
and Bay Point Capital Partners II, L.P.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 5, 2022, he caused a true and correct copy of the foregoing Notice of Appearance to be served electronically on those parties registered to receive electronic service through the Court's EFC system, as identified on the Court's Notice of Electronic Filing (NEF).

/s/ Richard A. De Palma _____

Richard A. De Palma

*Counsel for Bay Point Capital Partners, L.P.
and Bay Point Capital Partners II, L.P.*